

CONDITIONALITY, CHEATING COUNTERPLANS, AND CRITIQUES: TOPIC CONSTRUCTION AND THE RISE OF THE “NEGATIVE CASE”

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Abstract: Modern policy debate is no longer characterized by clash between the 1AC vs. 1NC, but instead the 2AC vs. 1NC. Another recent change is the near complete acceptance of negative conditionality. These trends foster a debate curriculum which discourages on-point research in favor of generically applicable argumentation. In addition, the oft-disparaged “Clash of Civilizations” is a direct result of our topic wordings. It represents the tension between an affirmative forced to ask “What should the government do?” and a negative which instead asks “What should WE do?” Barring a reconceptualized approach to bridging the divide between those two questions, the debate between the critique left and the policy right will continue. It is worth the attention of the topic committee to think through how proposed wording choices will interact with these trends. Might we entertain more radical proposals or experiments with topic wording to foster a more productive pedagogy?

One of the most common stories I have heard from fellow lab leaders in the past several years of working at high school summer debate institutes is: “I asked after the debate, and it turned out none of the students were even flowing!” While flowing skills at the high school level are questionable in the best of times, this anecdote usually comes along with the storyteller lamenting an increase in its frequency. Perceptually, at least, young debaters sometimes seem to be more interested in talking than in listening to their opponents – even to the point of not knowing what it is they’re supposed to be answering. Whatever the ultimate cause, I will argue that the prevalence of generic negative strategies and unlimited negative conditionality act as enabling mechanisms for the

discouragement of substantive clash in modern debate – and that the topic writing process should explicitly seek to take these trends into account when crafting resolutorial wording.

I have heard a variety of explanations proffered for the “no flowing” phenomenon, some more compelling than others: the rise of instantaneous communication methods like instant messaging, the decline in state educational funding, the explosion of paperless debate, and even accusations of a cultural predilection for narcissism. Certainly, many of these complaints have the ring of an older generation’s perpetual dissatisfaction with “kids these days.” But regardless of the accuracy of these jeremiads (at least some of which probably have a kernel of truth), one thing is clear: our debate curriculum, at all levels, should encourage listening and clash, not just oratory.

There is at least one way in which this trend away from meaningful clash is being exacerbated – the rise of the “neg case.” Modern policy debate is frequently no longer characterized by clash between the 1AC vs. 1NC, but instead the 2AC vs. 1NC. The standard negative repertoire is characterized by as many attempts as possible to avoid direct clash with the affirmative in favor of developing a (usually generic) position of the negative’s choice. The affirmative is expected not to defend the merits of their original policy proposition, but rather to defeat the thesis of the negative’s signature argument(s). This runs the ideological gamut from “one-off” critiques to single-sheet counterplans designed to co-opt the entirety of the affirmative case – “conditions” counterplans, single word PIC’s, and the ever classic consultation CP, to name but a few. This is to say nothing of the rise of “alternative” styles of debate which explicitly seek to avoid discussion of the topic altogether.

While any smart negative team would seek to shift the terms of the debate away from a pure focus on the affirmative case harms, the types of strategies described above go far beyond the traditional counterplan and disadvantage framework. All of the aforementioned argument types have a common theme: they encourage the negative to give very short shrift to the affirmative case, especially as the debate develops. While it used to be common for the negative team to incorporate significant case attacks into their argumentative approach while also forwarding a counterplan and disadvantage, it is now common for the 2NR to spend 30 seconds or less discussing the entirety of the affirmative case, if it is road-mapped at all. Why bother, if the debate will ultimately hinge only on the response of the Japanese government to consultation?

Another clear change in modern argument practice which is much easier to substantiate than the foregoing is the near complete acceptance of negative conditionality. A seemingly unlimited version of negative argument flexibility has become a clear norm. As recently as five years ago, I had frequent concerns as a coach over whether to counsel my debaters to run counterplans conditionally, unconditionally, or dispositionally – and would very rarely have thought to encourage the introduction of multiple counterplans. Now, it has been several years since I have judged a debate where the counterplan wasn’t conditional, and a sizeable majority of the debates I watch include at least two separate negative options in addition to the status quo. For better or worse, the debate community seems to have settled on “neg flex” as a mantra.

The synergy between the availability of many options for ignoring the affirmative case and carte blanche to introduce as many as time permits in each debate creates a number of drawbacks. It fosters a debate curriculum which discourages on-point research in favor of generically

applicable argumentation. It is rarely of as much utility to research a specific strategy to each different affirmative on a topic as it is to invest time developing one generic position. It also discourages the development of in-round strategic thinking skills which require seeing interactions and synthesis between multiple different positions. When the entire debate is reduced to one argument which explicitly ignores the affirmative, much opportunity for tactical maneuvering is lost.

I will be the first to admit that the topic is not the primary cause, or indeed even a major cause of the decline in affirmative-specific clash. Nonetheless, I think the topic committee would do well to look for ways in which the topic writing process could encourage a more productive pedagogy. Whether the topic is part of the problem, perhaps it could become part of the solution. It is also important not to overstate the extent of the problem; it is certainly the case that there are many high-level debates in the college debate community which center around well-researched and finely crafted negative strategies which clash directly with important claims made by the affirmative. It is not infrequent to see a negative team defend the status quo and a case-specific disadvantage. The art of research, strategy, and critical thinking is not lost, but it is underutilized. Our topics should seek not just to ensure that the best possible debates can occur, but that the quality of all debates which occur is higher.

This starts with a discussion of what types of debates we are seeking to encourage in the first place. First and foremost, I think that most people would agree that some of the best debates are those which center directly on the affirmative case. It is a rare judge who expresses a preference against debates where the negative team link-turns the affirmative advantages, for example. Secondly, debates should offer the capacity for nuance and sophistication in subject matter. When the literature base

surrounding specific policy proposals contains a plethora of well-argued counterplan ideas, debates are much more likely to center on those instead of a generic strategy. This, for example, describes the difference between the Nuclear Weapons topic and the Immigration topic. The former had a robust set of literature about how reductions should be made and the latter had essentially none on how visa eligibility should be changed. These observations on what constitutes a “good topic” might seem (and are) relatively banal. I think we would do well as a community, however, to focus less on oft-cited concerns about “timeliness,” for example, and more on the possibility for substantive clash afforded by a given topic idea. If we repeat a tried and true controversy area every so often in favor of encouraging more robust debates than those afforded by the news item of the day, our students will ultimately thank us for it.

This note is admittedly short on practical suggestions, much less proposed solutions for the dilemma at hand. Much attentive care and hard work goes into the crafting of each year’s resolution, and perhaps it is unfair to place yet another burden on the topic committee to seek ways to redress the structural failings of modern argument practice. Nonetheless, I think it is worth the attention of the committee to think through the ways in which proposed wording choices will interact with the broad argument trends described here. I have not often heard explicit consideration or discussion of questions such as “How will the affirmatives this topic wording encourages defend themselves against multiple counterplans?” or “Does this wording choice open the door for a counterplan which ‘severs certainty’ to become too powerful for the negative?” Might we even entertain more radical proposals or experiments with topic wording to explicitly attempt to drive debates away from the worst excesses of negative conditionality? What would a topic look like that didn’t use the word “should” with all its attendant implications

for counterplan competition? These are the discussions this commentary aims to initiate.

Given the powerful incentives which drive our current choices about acceptable negative strategy (e.g., ease of research, lowered research burden, strategic flexibility, etc.), I am pessimistic that even the most finely crafted resolutorial wording could forestall most of what is criticized here. The topic writing process is probably not the ground upon which the battle against anti-topical affirmatives will be waged, much less won or lost. But to the extent that the topic wording can be an ally in the fight for worthwhile clash, a few broad suggestions can be made.

First, narrow topics are most likely to encourage substantive clash. One of the primary motivations for negative teams running away from engagement with the specifics of the affirmative is fear of “falling behind” in the necessary research effort. On a topic with 200 topical affirmative plan mechanisms, it is extremely unlikely that all but the most precocious of negative teams will be prepared to debate each one, and much more likely that they will turn instead to as generic of an approach as possible. Despite sentiments from some corners that the topic writing process is already too narrow and specialized, I would submit that the debate community has not yet truly experimented with what a radically narrower topic might entail. Even the smallest topics in recent memory have afforded the affirmative an incredible amount of flexibility, usually as a compromise to the “broad topics good” camp. A quick perusal of any of the archived case lists from the past decade reveals that even the narrowest topics the community has debated have entailed dozens (if not hundreds) of discrete affirmatives. Instead, envision as a potentially hyperbolic example, a topic with truly only five topical cases. With essentially no room for maneuver, it is easier to envision negative teams feeling empowered

to prepare a truly in-depth take on each one. Chosen in concert with the right literature base, perhaps the word “stale” could be replaced with “nuanced,” even if debates superficially resemble each other as the year progresses.

In addition to encouraging narrowness (hyperbole aside, “dozens” is still a significant improvement over “hundreds” for the cause of negative specificity), topics should seek to contain at least some form of “mechanism” when possible. Topics with a defensible central mechanism are more likely to encourage even generic negative strategies to at least be topic-specific, as opposed to topics with no unifying theme which leave the negative completely in the dark. A lack of identifiable terms of art in recent topic construction has certainly not helped this problem. I think it is easy to see that some of the most well-regarded topics of the last decade or so (Treaties, Sanctions, Nuclear Weapons) fit the mold of at least one of relative narrowness or mechanism-based debates. On the other side, topics which were broadly disliked (Immigration, Natives) clearly flunk both tests.

Perhaps the biggest elephant in the room of argument trends and topic construction is the prevalence of the critique. Despite competing prognostications of both a complete takeover of debate and its imminent demise, critique debate represents a sizeable portion of competitive debate rounds, and seems here to stay. Some discussion of the interaction between the topic process and the critique does occur – in debates over how the topic wording will interact with a specific critique argument, or with occasional wording papers for a “pure critique topic” that seems destined to lose from the outset. These attempts have largely gone nowhere.

Simply asking whether or not a proposed topic area has “critique ground” built in is unproductive. It seems clear that at least some critique debaters will find a way

to introduce their arguments regardless of the specific wording of each resolution. Instead, a more productive set of questions surrounds whether or not it is possible to craft a topic which engages the critique in a more direct fashion. Is it even possible to encourage a debate on both sides over the particulars of Foucauldian philosophy, while maintaining space for the Politics DA? Make no mistake: the oft-disparaged “Clash of Civilizations” is a direct result of our topic wording choices. It represents the fundamental tension between an affirmative team which is forced to ask “What should the government do?” and a negative team which instead asks “What should WE do?” Barring a reconceptualized approach to bridging the divide between those two questions, the interminable debate between the critique left and the policy right will likely continue unabated.

More radical suggestions for recasting the topic process have been proffered over the years, some with more success than others. From using a non-US agent to utilizing the passive voice, or returning to the CEDA-style value resolutions of yore, some of these ideas have already been tested and lost in the marketplace of ideas. Which of these might represent a productive path for future exploration, or which as yet undeveloped idea for a shakeup in topic construction might provide a solution to even some of the problems outlined above, is unclear. I certainly do not have the magic resolutorial bullet. Perhaps all I can offer by way of closing is this basic maxim, which seems a fitting guide for the topic construction process: if you want a different answer, ask a different question.

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